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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 TRACY COLEEN RANUIO,
a.k.a. TRACY COLEEN DILLARD
14 4135 Pathway Lane
Turlock, CA 95382

15 Registered Nurse License No. 536789

16 Respondent.
17

Case No. 2009-94

A C C U S A T I O N

18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about September 17, 1997, the Board issued Registered Nurse
24 License Number 536789 to Tracy Coleen Ranuio, also known as Tracy Coleen Dillard
25 ("Respondent"). Respondent's registered nurse license was in full force and effect at all times
26 relevant to the charges brought herein and will expire on February 28, 2009, unless renewed.

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1 8. Health and Safety Code section 11170 states that no person shall prescribe,
2 administer, or furnish a controlled substance for himself.

3 9. Health and Saf. Code section 11173 states, in pertinent part:

4 (a) No person shall obtain or attempt to obtain controlled substances, or
5 procure or attempt to procure the administration of or prescription for
6 controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge;
7 or (2) by the concealment of a material fact.

8 (b) No person shall make a false statement in any prescription, order,
9 report, or record, required by this division . . .

10 **COST RECOVERY**

11 10. Code section 125.3 provides, in pertinent part, that the Board may request
12 the administrative law judge to direct a licensee found to have committed a violation or
13 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
14 and enforcement of the case.

15 **CONTROLLED SUBSTANCE AT ISSUE**

16 11. “Demerol”, a brand of meperidine hydrochloride, is a Schedule II
17 controlled substance as designated by Health and Safety Code section 11055, subdivision (c)(17).

18 **CAUSE FOR DISCIPLINE**

19 **(Diversion, Possession, and Self-Administration of Controlled Substances)**

20 12. Respondent is subject to disciplinary action pursuant to Code section
21 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section
22 2762, subdivision (a), in that on and between February 22, 2004, and February 29, 2004, while
23 employed and/or on duty as a registered nurse in the Emergency Department (“ED”) at Tuolumne
24 General Hospital, Sonoma, California, Respondent did the following:

25 **Diversion of Controlled Substances:**

26 a. On and between February 22, 2004, and February 28, 2004, Respondent
27 obtained the controlled substance Demerol by fraud, deceit, misrepresentation, or subterfuge, in
28 violation of Health and Safety Code section 11173, subdivision (a), and by making false
statements in the ED records, in violation of Health and Safety Code section 11173, subdivision
(b). During the time period indicated above, Respondent removed varying quantities of Demerol

1 from the ED supply under the names of several different patients when, in fact, the narcotics
2 were for her personal use, then falsified the ED records to conceal her diversion of the Demerol
3 by documenting in the records that she received verbal orders for Demerol from the patients'
4 doctors. In fact, there were no physician's orders authorizing the medication for the patients. On
5 February 29, 2004, following the incidents described above, Respondent submitted to a drug
6 screen as requested by ED staff and tested positive for opiates. Further, on May 25, 2004,
7 Respondent admitted during an interview with the Division of Investigation, Department of
8 Consumer Affairs, that she took the Demerol home with her and injected the narcotics into her
9 hip.

10 **Possession of Controlled Substances:**

11 b. On and between February 22, 2004, and February 29, 2004, Respondent
12 possessed unknown quantities of the controlled substance Demerol without a valid prescription
13 from a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor, in violation
14 of Code section 4060.

15 **Self-Administration of Controlled Substances:**

16 c. On and between February 22, 2004, and February 29, 2004, Respondent
17 self-administered the controlled substance Demerol without lawful authority therefor, as set forth
18 in subparagraph (a) above.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein
21 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

22 1. Revoking or suspending Registered Nurse License Number 536789, issued
23 to Tracy Coleen Ranuio, also known as Tracy Coleen Dillard;

24 2. Ordering Tracy Coleen Ranuio, also known as Tracy Coleen Dillard, to
25 pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of
26 this case, pursuant to Business and Professions Code section 125.3;


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3. Taking such other and further action as deemed necessary and proper.

DATED: 10/20/08


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

Complainant